

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CRIMINAL TRIAL MINUTE ORDER

Date: October 31, 2012

Time in Court: 5 hours 20 minutes

Case No.: CR-10-376-03 JSW

Judge: Jeffrey S. White

**United States of America v. Oshan Cook
Present (X) Not Present () In Custody ()**

**Chinyahi Cadet / Pete Axelrod
U.S. Attorney**

**Doron Weinberg
Defense Counsel**

Deputy Clerk: Jennifer Ottolini

Court Reporter: Connie Kuhl

PROCEEDINGS

REASON FOR HEARING: Jury Trial (Day 4)

RESULT OF HEARING: (See Attached Trial Sheet and Witness/Exhibit List)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No: CR-10-376-03 JSW

Case Name: USA v. OSHAN COOK

TRIAL SHEET, EXHIBIT and WITNESS LIST

DISTRICT JUDGE JEFFREY S. WHITE		GOVERNMENT ATTORNEY: Chinayi Cadet Pete Axelrod			DEFENSE ATTORNEY: Doron Weinberg
TRIAL DATE: October 31, 2012		REPORTER(S): Connie Kuhl			CLERK: Jennifer Ottolini
GOVT NO.:	DEF NO.:	TIME	ID	ADM	DESCRIPTION
		7:46 a.m.			Court convened. All Counsel are present. The Defendant is present. The jury is not present. A note was received by Juror # 4 Court and counsel discuss matters outside the presence of the jury.
		8:02 a.m.			The jury is present. Direct examination of KARL NICHOLS , previously sworn and deemed an expert in the field of Drug Trafficking, continued by Ms. Cadet.
69				X	Pay Owe Sheet - Events & To Do Items from 3/30 to 5/31/10 (33 pages)
		8:21 a.m.			Cross examination of KARL NICHOLS by Mr. Weinberg.
	H		X	X	Om Shan Tea Timeline
	I		X	X	Letter dated 11-28-08 on Om Shan Tea letterhead
	F		X	X	Events & To Do Calendar - pg 23/26
	E		X	X	Events & To Do Calendar - pg 24/28
	D		X	X	Events & To Do Calendar - pg 22/25
	C		X	X	Events & To Do Calendar - pg 27/30
	B		X	X	Events & To Do Calendar - pg 23/27
		8:52 a.m.			Re-direct examination of KARL NICHOLS by Ms. Cadet..
		9:07 a.m.			Witness is thanked and excused. The jury is admonished and recessed. Court and counsel discuss matters outside the presence of the jury.
		9:13 a.m.			The Government rests. The Defendant moved pursuant to Rule 29; and for Mistrial / New Trial

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EXHIBIT and WITNESS LIST

Continued

GOVT NO.:	DEF NO.:	TIME	ID	ADM	DESCRIPTION
		9:18 a.m.			For the reasons set for on the records, the Motions are DENIED.
101			X		CD
102			X		Transcript of CD
		9:20 a.m.			Court is in recess.
		9:55 a.m.			Court reconvened. All Counsel are present. The Defendant is present. The jury is present. The Government read into the record a Stipulation re: Testimony of Danielle DesFossis
		9:58 a.m.			The Government formally rests their case. No evidence to be given by the Defendant. The Court begins instruction of the jury.
		10:14 a.m.			Sidebar conference held.
		10:16 a.m.			Sidebar conference concluded.
		10:17 a.m.			Closing argument on behalf of the Government is given to the jury by Mr. Axelrod.
		10:43 a.m.			The jury is admonished. Court is in recess for 10 minutes.
		10:59 a.m.			Court reconvened. All Counsel are present. The Defendant is present. The jury is present. Final argument on behalf of the Defendant is given to the jury by Mr. Weinberg.
		11:37 a.m.			Final argument on behalf of the Government is given to the jury by Mr. Axelrod.
		11:46 a.m.			The Court completed instruction of the jury.
		11:51 a.m.			The Court thanks and places the Alternate Jurors on telephone standby.
		11:58 a.m.			Sidebar conference held.
		12:00 p.m.			Sidebar conference concluded.
		12:01 p.m.			The jury retires to jury room. The Court kept Juror #4 behind to discuss note received earlier today.

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Continued

GOVT NO.:	DEF NO.:	TIME	ID	ADM	DESCRIPTION
		12:04 p.m.			Juror #4 has retired to join the remainder of the jurors. The jury retired to deliberate.
		1:30 p.m.			The jury, having completed their deliberations for the day, recessed until 8:00 a.m. November 1, 2012.